



SALISBURY:

TUESDAY MORNING, AUG. 6, 1822.

The obstinacy with which our eastern friends adhere to the imperfections of our constitution, because they are sanctioned by time, and the clamor which they raise at the bare mention of innovation, or improvement, are very happily exposed in the following extract of a letter from Dr. Rush. It was published in the last Raleigh Register for quite a different purpose; and the editors, doubtless, were entirely unconscious of the unkind cut they were giving the wise men of the East. The anecdote at the conclusion hits palpably; and if we are not mistaken, it is the amount of the argument of more than one of the advocates of "sticking to what is ancient," in the debate on the Convention Question in the last General Assembly.

EXTRACT.

"I know," says the Doctor, "how apt mankind are to brand every proposition for innovation as visionary and utopian. But good men should not be discouraged by such epithets, from their attempts to combat vice and error. There never was an improvement in any art or science, nor a proposal for meliorating the condition of man, in any age or country, that has not been considered in the light of what has been called an utopian scheme. The application of the magnet to navigation, and of steam to mechanical purposes, have both been branded as utopian projects. The great idea of Columbus, of exploring a new world, was long viewed in most of the courts of Europe, as the dream of a visionary sailor. You and I recollect the time, as also when the independence of the United States, and the present wise and happy confederation of our republics, were all considered by many of our sober, prudent men, as subjects of an utopian nature. For the benefit of those persons who consider opinions as improved, like certain liquors, by time; and who are opposed to innovations, only because they did not occur to our ancestors; I shall conclude my letter with an anecdote of a Minister of London, who after employing a long sermon, in controverting what he supposed to be an heretical opinion, concluded it with the following words: 'I tell you—I tell you, my brethren, I tell you again, that an old error is better than new truth.'"

Mr. Adams has come out in the National Intelligencer of the 17th ultimo, with a reply to Mr. Russell's last letter. It occupies nearly six closely printed columns, and is to be continued in another paper. Mr. Russell, we doubt not, has ere this become convinced, by painful experience, that the "descent to Avernus is easy," but that to return is a work of no little difficulty; and he would willingly, we suspect, resign all the budding honors which his gift of prophecy, and his disinterested patriotism had thickened around him, if his letter from Paris, and the fatal duplicate, and the recollection of them, could be buried in the most profound oblivion; if—

eternally could die,
The letters and the prophecy.

We believe there can be but one opinion, with all impartial men, as to Mr. Russell's object; and but one as to Mr. Adams' vindication. We wish we were able to publish the whole of this controversy; but it is too voluminous for a weekly paper; as to enable us to publish it, we should be compelled to exclude, for weeks, every thing else. We have only room now for the concluding paragraphs of Mr. Adams' letter; we may make larger extracts hereafter.

"Such is the true history of the tactics of Mr. Russell, in bringing before the House of Representatives and the nation, his impeachment of his colleagues, the majority of the Ghent mission—that it was such of me, is fully admitted by himself in the Boston Statesman, by styling me the adverse party, and in that publication he sufficiently indicates his disposition in the progress of his operations to concentrate his charges against me alone. Be it so. In my remarks upon the original and duplicate of his accusatory letter I styled it a laborious tissue of misrepresentation. He complains of this as of virulence and acrimony, which he boasts of not having returned. If virulence and acrimony had no other vehicle than harsh language, if they could be disguised under professions of unfeigned respect, however cautiously Mr. Russell had abstained from them in his original letter from Paris, he had been much less observant of that decorum in the duplicate, prepared with new reserves of erudition to suit the appetite of political hatred; and the publication in the Boston Statesman is by no means sparing either of virulence or acrimony against me. The whole tenor of his argument in the original letter, against his colleagues, was sneering and sarcastic. In the Boston Statesman, besides direct charges against me, of *disingenuousness*, of having made an unprincipled and unprovoked attack upon him, of disrespect to the House of Representatives, of infirmities of temper and taste, and of being a dreaming visionary, he tries even the temper of his wit to assail me, and by a heavy joke upon an expression used in my remarks, indulges his own instinct of misquoting my words to make them appear ridiculous. If this be Mr. Russell's mildness and moderation, it looks very much like the virulence and acrimony of others. In the transactions of human society there are

deeds of which no adequate idea can be conveyed in the terms of courtesy and urbanity; yet I admit the obligation of a public man to meet with coolness and self-command the vilest artifices, even of fraud and malignity, to rob him of the most precious of human possessions, his good name—"thrice happy they who master so their blood." If in my former remarks upon Mr. Russell's Janus-faced letter, or in this refutation of his new and direct personal attack upon my reputation, I have, even in word, transgressed the rule of decency, which, under every provocation, it is still the duty of my station and of my character to observe, though, unconscious myself, of the offense, I submit to the impartial judgment of others, and throw myself upon the candour of any country for its forgiveness. This paper has been confined to a demonstration of the frailty or the pliability of Mr. Russell's memory, in relation to facts altogether recent. As upon an issue of facts, I do not even now ask that my word alone should pass for conclusive, statements of Mr. Brent and Mr. Bailey, relative to the production of Mr. Russell's letter before the House of Representatives, and to the incidents from which Mr. Russell has attempted to extort a charge of disingenuousness against me, are subjoined. My only wish is, that they should be attentively compared with Mr. Russell's narrative.

In another paper I shall prove that Mr. Russell's reminiscences of the proceedings at Ghent, bear the same character of *imagination* substituted for memory; and that what he calls "the real history of the transaction," [the fishery and Mississippi navigation proposal], contradictory to the statement which I had made in my remarks, is utterly destitute of foundation."

It is reported in the papers, that a second duel is about to take place between Col. Cumming and Mr. M'Duffie; and from the publications which have been made in an Augusta paper, subsequent to the late meeting, we think such an event not improbable. It is pretty certain that one of the parties wishes to renew the quarrel; for the real object of an unprovoked and unwarrantable publication was covered with too flimsy a veil, not to be discovered by the least discerning eye. When a sense of honor impels a man to fight, there may be some interest in his fate, there may be some pity for his fall; but when a spirit of deadly revenge urges him on to murder, let the guilt of the murderer, and the curse of the murderer rest upon him. The current of public opinion is setting strongly against the practice of duelling; the late duel has sufficiently established this fact. The custom had its origin in a semi-barbarous age; is abhorrent to humanity, and at war with every precept of genuine christianity; and it seems to us impossible that it can be long tolerated among an intelligent and a virtuous people. There is not only a spirit of political, but also of moral reform, going on in the world; and the triumph of the one is no less certain than of the other. And we firmly believe, that the time will be, when duelling will be as contrary to the genius and spirit of the age, and as obsolete, as deciding the guilt or innocence of an individual, by judicial combat with his accuser, is to the present.

FOR THE WESTERN CAROLINIAN.

Messrs. Printers: A good deal of noise has been made in this state about a project that was offered in the General Assembly at its last session for incorporating a new Bank, the funds and profits of which were to belong entirely to the state. I have but little acquaintance with banking business; but in collecting and collating the arguments for and against this measure, I am rather disposed to think the rejection of it by the legislature was a wise and wholesome measure. It is said by its advocates, very truly too, that money is extremely scarce, and that there is and will be great distress in the country in consequence of that scarcity. It is further urged, that banking is a very profitable speculation, that individuals and companies are fattening on the vitals of the community, with but little general advantage; whereas the projected scheme, it is asserted, would have enriched the public chest, and so have rendered taxes unnecessary. On the other hand, it is argued, that the faith of the state is pledged, in the charter of the State Bank, to incorporate no other bank during the existence of that charter: three replies have been made to this argument. In the first place, it has been said, that no legislature can so pledge the faith of the state, that a subsequent legislature cannot revoke the grant. Secondly, that the extension of the charter of the bank of Cape Fear and Newbern did virtually violate the faith of the state, pledged to the State Bank, and therefore justifies the total disregard of the pledge by any future session of the Assembly. Thirdly, that as the State Bank has itself violated its charter, it has thereby released the state from its obligation to observe the provisions of the contract. I have chosen to put these answers in the strongest light in which I have heard them represented, because, as the objection and the answers to it affect what may be termed the morality of the subject, as well as the expediency, it will always be important to show that the measure is consistent with the requirements of common honesty at least, before we venture to recommend it; as whatever

tends to pollute the public morals ought, on that account, if no other, to be adopted with hesitation, if adopted at all.

Now as to the first of those answers, it is undeniable that the principal hope of succeeding in a new bank must rest on a pledge by the legislature of the faith of the state for the redemption of the stock created in order to put the bank in operation; however, therefore, others may be entitled to argue on the abstract question, it certainly does not belong to the advocates of the new bank, to weaken, or rather to destroy all dependence on such pledge, by demonstrating that nobody is bound by it. And really, however confident those may be who produce this argument, I am disposed to doubt its correctness. I am disposed to believe that the faith of the state may be pledged by one session of the legislature, in such manner, as to become part of a contract, and therefore cannot afterwards be violated without impairing the obligations of the contract, and so impugning the constitution. The State Bank undertook, among other things, to redeem the old currency; and, by the terms of the contract, obliged itself to do this, almost at its own expense. And to remunerate it for this service, it was promised that no other bank should be chartered during the term for which its charter lasted. Here is a fair contract, in which one benefit is promised for another. But the extension of the charters of the other banks, it is contended, was a violation of the contract; perhaps it was; but does it therefore follow, that because the charter has already been violated by one of the parties, that therefore the same party has a right utterly to disregard the obligations of the contract. Lastly, it cannot be denied, at least I do not deny, that the State Bank may have acted in such manner as to release the state from its obligations. It has been asserted that the bank has broken its charter, and that the legislature is thereby released from the observance of the bargain. This may all be true, or it may be partly true and partly otherwise, or it may be entirely false. The question is, how is it to be determined? A process before the Judiciary, upon a quo warranto, would perhaps be the least exceptionable method, as that would refer the matter to a body capable of examining the evidence. But we are told no such process is needed; that the fact is notorious; that every body knows it. This way of deciding questions of abstruse and intricate solution by public opinion, is liable to strong objections. Athens banished some of her best citizens, and put Socrates himself to death, by general suffrage; and even in our country we have an example of an individual, whom every body pronounced guilty of treason, whom yet a fair trial was not able to commit. But if the legislature, and not the Judiciary, are to try this question of the violation of charter, ought not the bank to be heard at their bar? Ought it not to have an opportunity of cross-examining the witnesses and showing its innocence? Upon the whole, then, I think that the argument against the new bank, drawn from its immoral tendency, remains in full force.

With respect to the expediency of the measure,—and allowing that things may sometimes appear expedient, that have no favorable bearing upon morality, although I have strong doubts whether or not those appearances are ever other than fallacious; but, for argument sake, supposing such a thing might sometimes happen—we may observe that the first argument noticed as supporting the propriety of chartering a new bank, that is, the exigencies of the country, do perhaps rather support than remove the objections to the new bank. If, as is generally supposed, a great part of the present distress is occasioned by banking institutions, (a position, by the bye, by no means supported, in my opinion, to the extent sometimes asserted,) how, I would ask, can it be expected that those evils should be remedied by increasing one of the causes that have produced them? Much confusion would certainly result from bringing the new bank into operation; either the present banks would take the money issuing from the contemplated bank in payment from their debtors, or they would refuse them. If the latter, of what use would the new bills be, seeing the great need we have for money is to pay the banks what is owing to them from the country. If, on the other hand, (which is the most probable,) the new notes were to be taken in by the other banks, the consequence would be, that the vaults of the new bank would be constantly drained of its specie to meet its notes returning to it faster than any amount contemplated to be there deposited would be able to meet. From such a state of things a depreciation would result injurious alike to holders of the notes and the credit of the state, implicated in the credit of the new bank.

I acknowledge myself entirely incompetent to the business of examining the probabilities of its being a gainful speculation to the state. The institution would have to struggle at first with some powerful oppositions; and it may well be questioned, whether the withdrawing our surplus revenue, already invested in the banks in the state, where the gain is ascertained, and if not exorbitant, is sure, for the visionary purpose of putting into operation a new bank, where the gains must be uncertain, and liable to be impeded

by unforeseen occurrences,—can be justified by the sober dictates of a sound discretion. In aid of this course of reasoning, we ought not to overlook the circumstance that the amount drawn from the State Bank is in a great measure drawn from stock subscribed for, and of which the payment is deferred, at a rate of interest at which we should in vain hope to obtain funds for the new Bank. Having thus examined this delicate subject with all the candour imaginable, but with abilities and information very far short of the occasion, permit me to suggest a hope that this essay may call forth the remarks of those who are experienced in such matters; as certainly the public mind ought to be well informed on a subject in which there are none too exalted, and but few too much debased, to be more or less interested.

A FARMER.

THE MEXICAN EMPEROR.

Never was there a more flimsy, muslin gauze veil drawn over the designs of an ambition that cares not to conceal itself, than is seen in the proclamation of Mr. ITURBIDE, (August 1.) Emperor of Mexico. He begins by expressing a desire, that although he is an Emperor, he may yet entertain the tone and language of a simple citizen. The language of every man should be, honor and truth—and why should Kings be released from it? He modestly asks the Mexicans, what merit they discovered in him?—and lest they should not answer as soon as he wished, he replies for them in the next sentence, he had "saved them from the tyranny of three centuries!" He asks them whether the Crown is not the natural gratitude of the people he had saved?—and fearing they should say no, in the next sentence he says, "Yes, certainly!" He says next, that he has been delighted with the Mexicans, ever since they tendered him the Diadem; and he would have submitted to the painful sacrifice of taking it then, but his comparisons between the disquietudes of life, and the sweets of solitude, induced this young BONAPARTE and ADOXIS, aged 37 years, to seek repose in retirement. But he was determined that Mexico should be free, and fell in love with the people, because he saw they were in love with him—like sweet NARCISSUS and his shadow. He was, he says, content with the laurels on his brow, (modest young man!) but he shaded them with a Crown—disinterested patriot!

He then tries to persuade the Mexicans that their making him a King, is a proof of their freedom; because it shews that they can do as they please.—And then he tells them that he made them free, and that he will be their King! He says next, that having the Crown, he wont revenge himself on those who opposed giving it to him.—He had read, perhaps, of the remark of the King of France, that he remembered not the injuries of the Duke of Orleans.

And thus has this boasted effort at the establishment of a Republic, terminated in a Tyranny; and we in this country, with the best intentions, have been duped into courting the acquaintance of a military adventurer, who has not sheathed his sword, before he is putting on the purple robe of royalty.—*Charleston-Courier.*

FROM THE NEW-YORK AMERICAN.

John Randolph again.—It appears that our countryman Mr. Randolph, has made another oratorical display in London, at a meeting of the "British and Foreign School Society," held on the 16th of May. The following notice of his remarks is contained in the Times of the 17th:

"Mr. Randolph (of the American Congress) proposed a vote of thanks to his grace the Duke of Bedford, and the nobleman and gentlemen vice-patrons of the society. He dwelt upon the honors and virtues of the house of Russell, and of the other names, which were the objects of his resolution, amongst which were those of the nobleman who is at the head of the Catholics of Ireland and the venerable Bishop of Norwich."

It is quite remarkable, though not very edifying, to find an American, a member of our Republican Congress, proposing at a public meeting in London, votes of thanks to a Duke of Bedford and celebrating the virtues of the house of Russell. It would have been well if Mr. Randolph had previously consulted, as to the history of that house, Mr. Burke's Letter to a Noble Lord, contained in the 4th vol. of that statesman's works, whose politics and writing Mr. R. has professed greatly to admire.

DIED.

On Monday, the 13th of July, at Hamilton Ville, near Philadelphia, MANUEL TORRES, Minister of the Colombian Republic near the United States, in the 58th year of his age.

The cause of human nature has lost one of its most disinterested and ablest advocates—and, perhaps to Colombia and the whole Spanish America, the loss is irreparable—nor is the departure of this rarely gifted man, a light consideration to those interests which naturally unite the Northern with Southern America, in that great communion of security and unity, to the acceleration of which he had devoted the last 35 years of his life, and, in effect, life itself.

In Paris, May 17, the Duke de RICHELIEU, Peer of France, Lieutenant General, Minister of State, and late Prime Minister of France, in the 83d year of his age. He had been at his country

seat at Courciel, for ten days, and complained of weakness in the extremities, and shivering; and posted back to Paris, where his illness became hourly more alarming, and he expired the next day at his hotel, Place Vendôme, of a brain fever. The king ordered his first physician to attend him. He was a man of exalted integrity and honor, and was the founder of the flourishing Russian city of Odessa, of which, while an emigrant from France, he was appointed Governor by the Emperor Alexander. His title descends to the Count de Fumilhe, his nearest relative. He negotiated the last treaty of Paris.

Tax List.

ALL persons in the Town Company who have not yet given in their taxable property, are requested to attend for that purpose at the Court-House, on Saturday, the 19th August.

Notice.

WHEREAS my wife Nancy Cox, left my bed and board, in Campbell county, state of Tennessee, on the Elk fork of Cumberland river, about the 29th of June last, without any provision, and has come into the state of North-Carolina and county of Wilkes, as I am informed, with an intention to run me in debt; I do therefore forewarn all persons in this state, or the United States, from trading with her, or in any way crediting her on my account, as I am determined not to pay any of her contracts.

BRAXTON COX.

July 23, 1822.—3w^t15p

A Swindler.

A SHORT time since, a man by the name of George Cartwright, a journeyman shoemaker, commenced working with me, and after getting into my debt, absconded without paying. He went off with a journeyman tailor, by the name of Lemons. It is supposed he will make for Tennessee, by the way of Lincoln and Morganton. The object of this notice is to put the public on their guard, and let the character of the man keep pace with himself.

ASA TOMPSON.

Concord, July 29, 1822.—H 13

NOTICE.

By a decree of the Court of Equity, made at April term, 1822, I will expose to Public Sale, at the Court-House in Salisbury, on Monday, the 23d of September next, lots No. 17 and 18, in the great north square of the town of Salisbury, on which there are improvements; and lots No. 26, 27, and 28, in said town, unimproved. Also two tracts or parcels of land, lying and being in the county of Rowan, to wit: one of three hundred acres, lying on the waters of Flat Swamp Creek, and one of a hundred acres, lying on the top of a mountain, called Little mountain, near to the Flat Swamp Springs, belonging to the heirs at law of Evan Alexander, deceased. A credit of twelve and eighteen months will be given. Bonds, with approved securities, will be required.

Geo. Locke, C. M. C.

August 5, 1822.—6w^t18.

State of North-Carolina,

LINCOLN COUNTY.

COURT of Pleas and Quarter Sessions, July Term, 1822.—William Hunsucker and others, vs. John Grunt and wife, William Deum and wife, John Moser and wife, Jacob Little, guardian of his infant children.—Petition for the division of Land. It appearing to the court that John Grunt and wife, William Drum and wife, John Moser and wife, and Joseph Fabel and wife, are not inhabitants of this state; it is therefore Ordered, by court, that notice be published three weeks in the Western Carolinian, requiring them to appear at the county court of Pleas and Quarter Sessions, to be held for said county, at the Court-House in Lincoln, on the fourth Monday after the fourth in September next, then and there to answer or demur to the said petition, otherwise it will be taken pro confesso, and adjudged accordingly.

Witness V. M'Bea, Clerk of said court, at Lincoln, the 3d Monday of July, 1822.

VARDRY M'BEA, C. C.

Price adv. \$1 25 3w^t15

State of North-Carolina,

LINCOLN COUNTY.

COURT of Pleas and Quarter Sessions, July Term, 1822.—Susannah Kistler, vs. the heirs of George Kistler, deceased.—Petition for dower of land.—It appearing to the court that John Kistler, one of the heirs of said George Kistler, deceased, is not an inhabitant of this state; it is therefore Ordered, by court, that notice be published three weeks in the Western Carolinian, requiring the said John Kistler to appear at the county court of Pleas and Quarter Sessions, to be held for said county, at the Court-House in Lincoln, on the 4th Monday after the 4th in September next, then and there to answer or demur to the said petition, otherwise it will be taken pro confesso, and adjudged accordingly.

Witness V. M'Bea, Clerk of said court, at Lincoln, the 3d Monday of July, 1822.

VARDRY M'BEA, C. C.

Price adv. \$1 25 3w^t15

State of North-Carolina,

MONTGOMERY COUNTY.

COURT of Pleas and Quarter Sessions, July Term, 1822.—Alfred Randall, vs. Jonathan M'Daniel and Nancy his wife, Joshua Fox and Tabitha his wife, and others.—Petition for Partition.—It appearing that Joshua Fox and Tabitha his wife, are inhabitants of another state, Ordered, that publication be made for six weeks in the Western Carolinian, that they appear at the next county court, to be held for the county of Montgomery, at the Court-House in Lawrenceville, on the first Monday in October next, and plead, answer or demur, or the petition will be heard ex parte.

Witness V. M'Bea, Clerk of said court, at Lincoln, the 3d Monday of July, 1822.

JOHN B. MARTIN, C. C. M.

Price adv. \$2 6w^t18

Wadesborough

MALE AND FEMALE ACADEMY.

THE exercises of this institution commenced on the 15th inst. under the superintendency of Mr. and Mrs. Edmonds. Parents and scholars, taking into consideration the health situation of our village, the cheapness of board, the qualifications of the teachers, would do well to send their children and wards. The board of managers pledge themselves, that very attention shall be given to the morals and instruction of the pupils.

WILLIAM DISMUKES, MUMFORD DEJARNÉ, THOMAS D. PARKS, ALEXANDER LITTLE, FRANCIS A. CASE

Wadesboro, July 22, 1822, 6w^t14c